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AUG 27 2004

FACSIMILE COVER SHEET

Deliver to: Kalinowski, Alexander G., USPTO Art Group: 3626
Facsimile No.: 703-872-9306 Date:
From: Nathan P. Elder, Reg. No. 55,150
Our Docket No.: 6858P001X14 Number of pages 4 including this sheet.
Application No.: 10/605,548 Filing Date: 10/7/2003
Docket Due Date(s): _____

Enclosed are the following documents:

- | | |
|---|---|
| <input type="checkbox"/> Amendment: (____ pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (in triplicate) (____ pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: (____ pgs) w/cover & abstract) | <input type="checkbox"/> Petition for: |
| <input type="checkbox"/> Assignment & Cover Sheet (____ pgs) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input checked="" type="checkbox"/> Certificate of Facsimile | <input type="checkbox"/> Reply Brief (____ pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Declaration & POA (____ pgs) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Drawings: sheets, figures | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: | <input type="checkbox"/> Response to Written Opinion (____ pgs) |
| <input type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> IDS & PTO/SB/08 (____ pgs) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input checked="" type="checkbox"/> Other Request to Correct Filing Receipt (1) | <input checked="" type="checkbox"/> Transmittal Letter |
| Copy of Corrected Filing Receipt (2) | |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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Dawn Shaw 8-27-04
Dawn Shaw Date

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| REQUEST FOR CORRECTED FILING RECEIPT | | Docket Number 6858P001X14 | | | | | | |
|---|--|---|----------|--------------|------------------------|--|---------------------------------|---------------------------------|
| In re Application of Stephen J. Brown | | RECEIVED CENTRAL FAX CENTER AUG 27 2004 | | | | | | |
| Application Number 10/605,548 | Filed 10/7/2003 | | | | | | | |
| For Networked Health Information System for Monitoring Food Intake | | | | | | | | |
| Group Art Unit 3626 | Examiner Kalinowski, Alexander G. | | | | | | | |
| <p>1. Attached is a copy of the Official Filing Receipt received from the PTO in the above application for which issuance of a corrected Official Filing Receipt is respectfully requested.</p> <p>2. There is an error with respect to the following data, which is:</p> <p><input checked="" type="checkbox"/> Incorrectly entered and/or</p> <p><input type="checkbox"/> omitted.</p> <table border="1"><thead><tr><th>Error in</th><th>Correct Data</th></tr></thead><tbody><tr><td>Domestic Priority Data</td><td>This application is a CON of 09/237,194 01/26/1999, which is a CON of 08/481,925 06/07/1995 PAT 5,899,855, which is a FWC of 08/233,397 04/26/1994 ABN, which is a CIP of 07/977,323 11/11/1992, PAT 5,307,263.</td></tr><tr><td>Attorney Docket No: Hero-1-1147</td><td>Attorney Docket No: 6858P001X14</td></tr></tbody></table> | | | Error in | Correct Data | Domestic Priority Data | This application is a CON of 09/237,194 01/26/1999, which is a CON of 08/481,925 06/07/1995 PAT 5,899,855, which is a FWC of 08/233,397 04/26/1994 ABN, which is a CIP of 07/977,323 11/11/1992, PAT 5,307,263. | Attorney Docket No: Hero-1-1147 | Attorney Docket No: 6858P001X14 |
| Error in | Correct Data | | | | | | | |
| Domestic Priority Data | This application is a CON of 09/237,194 01/26/1999, which is a CON of 08/481,925 06/07/1995 PAT 5,899,855, which is a FWC of 08/233,397 04/26/1994 ABN, which is a CIP of 07/977,323 11/11/1992, PAT 5,307,263. | | | | | | | |
| Attorney Docket No: Hero-1-1147 | Attorney Docket No: 6858P001X14 | | | | | | | |
| <p>Respectfully submitted,</p> <p>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP</p> <p>Dated: <u>8-27-04</u></p> <p><u>Nathan P. Elder</u> Nathan P. Elder, Reg. No. 55,150</p> <p>12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (408) 947-8200</p> <p>CERTIFICATE OF MAILING/TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p><u>Dawn Shaw</u> <u>8-27-04</u> Dawn Shaw Date</p> | | | | | | | | |



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| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------------------|----------|----------|----------|
| 10/605,548 | 10/07/2003 | 3626 | 1358 | HERO-1147 00858 P001 x14 | 6 | 36 | 2 |

CONFIRMATION NO. 2547

25315
BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

RECEIVED ENTERED

JAN 12 2004 JAN 28 2004

Time Received
Black Lowe & Graham PLLC
STATUS DB-LA

Date Mailed: 01/08/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stephen J. Brown, Woodside, CA;

Assignment For Published Patent Application

HEALTH HERO NETWORK, INC., Mountain View, CA;

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JAN 23 2004

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
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Domestic Priority data as claimed by applicant

which and is a CON of 09/237,194 01/26/1999,
which and is a CON of 08/481,925 06/07/1995 PAT 5,899,855,
which and is a CON of 08/233,397 04/26/1994 ABN,
which and is a CON of 07/977,323 11/17/1992 PAT 5,307,263 *
(*Data provided by applicant is not consistent with PTO records.)

Foreign Applications

If Required, Foreign Filing License Granted: 12/30/2003

Projected Publication Date: 04/08/2004

Non-Publication Request: No

Early Publication Request: Yes

COMPLETED APR 06 2004

Title

NETWORKED HEALTH INFORMATION SYSTEM FOR MONITORING FOOD INTAKE

Preliminary Class

705

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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